

Serial No. 09/865,994

REMARKS

The prosecution for this patent application has been reopened after previous indication of allowability and payment of the issue fee, in view of newly discovered prior art. However, Applicant considers that the new cited references do not anticipate claim 3 and 6.

The Examiner has rejected claims 1 and 4 under 35 U.S.C. 102(b) as being anticipated by Lavigne (US Patent No. 2,015,076). Applicant has cancelled, without prejudice, claims 2 and 3 and has incorporated the limitations in claim 1. Therefore, the rejection is moot.

Additionally, the Examiner has rejected claims 1 through 6 under 35 U.S.C. 102(b) as being anticipated by Watts (US Patent No. 4,278,550).

Applicant has cancelled claims 5 and 6 and has incorporated the limitations to claim 4. Therefore, the rejection is now moot, except for claims 1 and 3.

Applicant respectfully requests reconsideration of his claims based on the foregoing explanation.

Claim 1 is characterized by having openings that facilitate the exit of solids and liquids, respectively. The drawings in the specification show the openings at acute (downstream) angle with respect to the direction of flow of the fluid inside the serpentine. Watts, on the other hand, teaches away from the claimed invention since the openings run at an acute (upstream) angle with respect to the direction of flow of the fluid, as seen in figure 3.

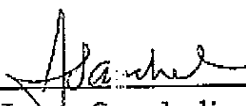
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1 The most that the particles can do in Watts is clog the entrance to the
2 openings. Therefore, Watts' device is inoperable to separate particles in a
3 fluid.

4
5 New claim 7 adds an inwardly extending portion that directs the
6 particle towards the opening. This is shown in the drawings and an
7 additional reference numeral has been added to further clarify it in the
8 specifications.

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10 Applicant believes his application is now allowable and ready to be
11 passed to publication and requests an early favorable action.

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13 Respectfully submitted,
14 **SANCHELIMA AND ASSOC., P.A.**
15 Attorneys for Applicant
16 235 S.W. Le Jeune Rd.
17 Miami, FL 33134
18 Tel. (305) 448-1617
19 Fax (305) 448-8484

20
21 By: 
22 _____
23 Jesus Sanchelima, Esq.
24 Reg. No. 28,755

TRANSMISSION VERIFICATION REPORT

TIME : 10/01/2003 14:13
NAME : SANCHELIMA & ASSOC.
FAX : 3054458484
TEL : 3054471617
SER.# : BROK1J670769

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